Be Careful Who You Contract With And Who You Don’t – Non-Party Not Bound

White Paper

A 7th U.S. Circuit Court of Appeals ruling in Northbound Group, Inc. v. Norvax, Inc. indicates that courts will not add parties to a contract after the contract has been negotiated, writes Stephen M. Proctor, a principal in Masuda Funai Eifert & Mitchell Ltd.

Planning and Protecting Your Projects Through International Contracts – Beyond the Boilerplate

EVENT, Oct. 29, 7:30 a.m. CDT

BakerHostetler will present the first program in a series of in-depth presentations and discussions that explore key legal and commercial issues unique to international contracts. It will include an in-person event and a webinar.

West Texas Jury Awards $43 Million in Oil and Gas Lease Breach of Contract

NEWS

Jury found that a group of oil and gas investors' business partners had breached fiduciary duties by crediting themselves for financial contributions they never made.

Clear Contractual Terms Prevail Over Equitable Principles in Bankruptcy Cases (Again)

White Paper

Especially where contract parties are sophisticated, courts give weight to the fact that each provision in the contract was likely heavily negotiated and that each word was chosen for a specific purpose.

The Trend Towards Liability

Waivers in Design and Construction

White Paper

General contractors and architects need to be on guard against sub-tier liability waivers often lurking in the fine print or at the end of lengthy proposals.

Negotiating Equipment Rental Contracts With Large Customers

White Paper

Most of the risks can be limited or eliminated, but doing so requires a very clear understanding of your equipment, your customers, your surroundings and your legal exposure.

Health Care Arbitration Agreements: Five Ways to Improve Enforceability

White Paper

Because the arbitration laws stack the deck against a facility, there is no foolproof way to draft an arbitration

agreement; what may be found enforceable by one judge may be found unenforceable by another.

Implementing Contract Management Software – Best Practices

White Paper

CobbleStone Systems has published a white paper designed to help companies implement new contract management software, beginning with preparation and continuing through the complete process.

Three Provisions to Change in your Oilfield Master Service Agreements

White Paper

Hidden perils in oilfield master service contracts have the potential to bring even a thriving company to its knees, making even big business with big clients a big mistake, writes Jordan J. La Raia in Gardere's Texas Energy Law blog.

Drafting Intellectual Property Agreements: Best Practices From a Litigator’s Perspective

White Paper

Whether negotiating a complex cross-license of intellectual property rights or drafting a supplier agreement, practitioners should consider certain license provisions and practice notes to ensure that a party’s licensing objectives are met.

Practical Guidance on Drafting and Negotiating Commodities Contracts

White Paper

Reed Smith has posted a discussion on drafting and negotiation commodities contracts, with a focus on Chinese counterparties with emphasis on successful enforcement in China.

What is a Smart Contract?

White Paper

A Bloomberg BNA article by two Holland & Knight lawyers on blockchain technology and its potential application to the legal industry sets out basic concepts and terminology surrounding smart contracts.

How Weak Contract Management Prevents GCs from Answering CEO’s Toughest Questions

White Paper

A complimentary white paper from Exari discusses survey findings that highlight gaps in risk and revenue insight created by poor contract management practices.

The Critical Role of Contracts in Corporate Compliance Programs

White Paper

Merrill DataSite is offering a complimentary evaluation tool that addresses the challenges faced in the ever-changing world of corporation compliance.

How to Score a Contract from the Red Zone

NEWS
Charles Sartain, writing in Gray Reed & McGraw's Energy and the Law blog, uses a football metaphor to describe how a negotiating party could fail to score an enforceable contract while near the end of the negotiation process.

Federal District Court Articulates Criteria for Electronic Contracts

NEWSIn a case involving "clickwrap" and "signwrap" agreements, the Eastern District of New York denied a motion to dismiss and compel arbitration filed by an in-flight wifi provider, according to Buckley Sandler LLP in its InfoBytes blog.

Fixing Your Contracts: What

Training in Contract Drafting Can and Can’t Do

White Paper

Any contract will likely be riddled with deficient usages that collectively turn contract prose into ‘legalese’ – flagrant archaisms, botched verbs, redundancy, endless sentences, and meaningless boilerplate.

Physician Contract Checklist

White Paper

An article on Holland & Hart’s Health Law Blog provides a 40-point checklist that can be used when preparing or reviewing contracts involving the work of physicians.

Contractor Licensing: What You Don’t Know Can Hurt You

White Paper

Failure to follow contractor licensing laws can have draconian consequences, writes Kraftson Caudle of Virginia on its blog.

Key Considerations in Understanding and Negotiating Non-Disclosure Agreements

White Paper

Authors outline some key provisions and potential pitfalls that should be considered when negotiating NDAs.